IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 3090 OF 2007

Dated : March 12, 2007

Between:

Bandikatla Sujatha

Petitioner

AND

The Station House Officer,
III Town Police Station, Nellore,
Nellore District and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 3090 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.S.R.VARMA)**

Heard the learned Government Pleader for Home,

representing the learned Advocate General, appearing for the respondents.

2. The complaint in this taken up writ petition is that the husband of the petitioner by name Bandikatla Prabhakar was illegally taken away by four policemen in mufti on 29.01.2007 at about 9.00 p.m. and he is detained in the City Crime Station, Kadapa, and as such, she is apprehending danger to the life of her husband.

3. In response to the notice issued by this Court, counter affidavit has been filed by the 3rd respondent – Inspector of Police, Central Crime Station, Kadapa, stating that the alleged detenue is required in Cr. Nos. 262 and 273 of 2006 and 7 of 2007, registered at Chinnachowk Police Station for the offences under Sec. 457 and 380 IPC basing on the complaints made by the respective victims. The alleged detenue is an accused in the above crimes. Particulars of each criminal case are not necessary and hence, not referred to. However, it is further stated that pursuant to the involvement of the alleged detenue in the above cases, he was produced before the II Addl. Judicial Magistrate of First Class, Kadapa, on 4.2.2007 and presently, he is lodged in Central Prison, Kadapa.

4. In view of these revelations in the counter-affidavit, we do not find any merit in the allegations leveled in the writ petition, the same fails and is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

D.S.R.Varma, J.

D.Appa Rao, J.

March 12, 2007
MAS